

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

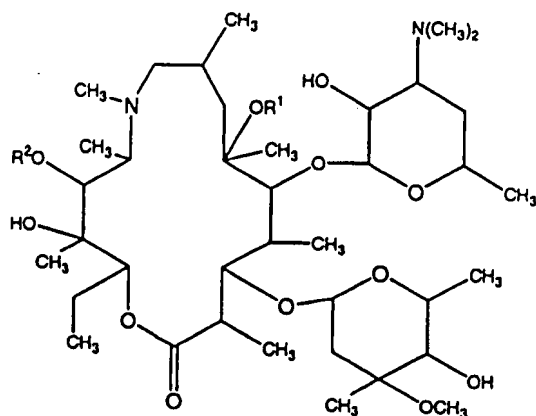
The claims are amended as follows:

Claim 101 is deleted.

Claim 45 (Twice Amended). A process for treating an eye, comprising:

topically applying an azalide antibiotic to an eye in an amount effective to treat [or prevent] infection in a tissue of the eye, wherein said topically applying comprises supplying a depot of a composition containing said azalide antibiotic on the eye.

Claim 47 (Twice Amended). The process according to claim 45, wherein said azalide antibiotic is a compound of formula (I):



(I)

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AMENDMENT UNDER 37 C.F.R. §1.116  
U.S. Appln. No. 09/767,943

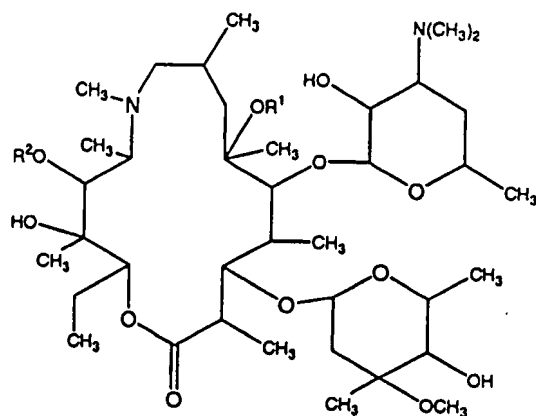
wherein R<sup>1</sup> and R<sup>2</sup> each independently represent a hydrogen atom or methyl group.

Claim 61 (Twice Amended). A topical ophthalmic composition comprising an aqueous polymeric suspension comprising water, 0.01% to 1.0% of an azalide antibiotic and 0.1 to 10% of a polymeric suspending agent, wherein said topical ophthalmic composition has an osmotic pressure of from 10 to 400 mOsM and wherein said composition does not contain constituents that are physiologically or ophthalmically harmful to the eye.

Claim 65 (Twice Amended). A topical ophthalmic composition comprising [an effective amount] about 0.01 to about 5% of an azalide antibiotic, an ophthalmically acceptable carrier, and an additional medicament selected from the group consisting of antibiotics, antivirals, antifungals, anesthetics, anti-inflammatory agents, and anti-allergic agents, wherein said topical ophthalmic composition has an osmotic pressure of from 10 to 400 mOsM and wherein said composition does not contain constituents that are physiologically or ophthalmically harmful to the eye.

Claim 70 (Amended). A process for treating an eye, comprising:  
topically applying an azalide antibiotic to an eye of a non-human animal in an amount effective to treat [or prevent] infection in a tissue of the eye.

Claim 83 (Twice Amended). The process according to claim 70, wherein said azalide antibiotic is a compound of formula (I):



(I)

wherein R<sup>1</sup> and R<sup>2</sup> each independently represent a hydrogen atom or methyl group.

Claim 102 (Twice Amended). A topical ophthalmic composition comprising an aqueous polymeric suspension comprising water, from about 0.1 to about 5.0% of an azalide antibiotic, and 0.1 to 10% of a polymeric suspending agent, wherein said topical ophthalmic composition has an osmotic pressure of from 10 to 400 mOsM and wherein said composition does not contain constituents that are physiologically or ophthalmically harmful to the eye and said topical ophthalmic composition is in the form of a depot which is capable of sustained release of said azalide antibiotic.

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